

GOVERNMENT OF TELANGANA
ABSTRACT

Energy Department - TSGENCO - Construction of Weir across river Krishna at 7.9 km downstream of Priyadharshini Jurala Hydro Power project (PJP) dam - Acquisition of submerged lands up to EL+301.00M in Rekulapally Village- Exemption from Socio Impact Assessment (SIA) from the Govt. of Telangana as envisaged under RFCTLARR Act 2013 - Publication of Gazette Notification in Form-A - Orders - Issued.

ENERGY (BUDGET/A1) DEPARTMENT

G.O.Ms.No.01

Dated:10.01.2022.

Read the following:

1. RFCTLARR Act, 2013 (Central Act No.30 of 2013).
2. RFCTLARR (Telangana Amendment) Act, 2016 (Act No.21 of 2017).
3. The Telangana State Land Acquisition (Consent Award, Voluntary acquisition and Lump-sum Payment towards R&R) Rules, 2017.
4. From the Collector & District Magistrate, Jogulamba Gadwal, Lr.No.G/10/2021, Dt:25.06.2021.
5. From From the CMD, TSGENCO, Lr.No. CMD/CE/Civil/Hydel /SE/C/ Hydel-I /EE/C/HD-I/LJHEP/F.41/D.No.136/2021, Dt.02.09.2021.
6. Govt.Letter.No.Energy-Bud/A1/OTHR/19/2021-Bud, Dt:10.01.2022.

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ORDER:

In terms of Chapter II of the RFCTLARR Act, 2013 1st read above, the Government intends to acquire land for a Public Purpose viz. construction of Weir across river Krishna at 7.9 km downstream of PJP dam submerged lands up to EL+301.00M in Rekulapally Village.

2. The Chairman & Managing Director, TSGENCO in the reference 5th read above, informed that TSGENCO has completed commissioning of all the units (6x40MW) of Lower Jurala Hydro Power Project by October'2016. TSGENCO has acquired lands to an extent of Ac 408-39 Gts in the villages of Jurala, Rekulapally and Mulamalla for the Project.

3. The Lower Jurala Hydro power project (6x40MW) at Atmakur, Wanaparthy District., was developed with construction of Weir across River Krishna for diversion of river water through turbines in Power house. The Weir was constructed at 7.9Km downstream of existing Priyadharshini Jurala Hydro Power project, with a crest level at EL+299.00M for said purpose to exploit the residual power at the dropdown of river bed at this location.

4. As the decision on acquisition of additional lands on Weir upstream submerging due to back water of Weir was pending, during Construction of Weir, the farmers had stopped the Weir work claiming that their agriculture lands were getting submerged due to Weir back water. The TSGENCO had to assure the farmers to pay crop compensation or acquire the lands after survey by the authorities concerned.

5. As assured to farmers, the survey was taken up in monsoon years 2016-17 and 2017-18 to identify the extent of lands submerging for the flood water overflowing over the Weir every year and its affect on submergence of agriculture lands on both bank villages Rekulapally(Right Bank of Krishna) and Mulamalla(left bank of Krishna).

(p.t.o)

6. Accordingly, based on the field survey report on regular maximum inflows in River Krishna and discussions with the Ryots of respective villages, followed by their representation Dt:19.04.2017, TSGENCO had taken a decision to acquire lands being submerged due to back water spreading on both bank villages up to EL+301.00M contour.

7. Accordingly, based on approval in 37th board meeting held on 17.01.2019, TSGENCO had issued orders to acquire land to an extent of 30.72 Acres (12.437 Hectares) in Mulamalla village, Wanaparthy Dist., and 71.34Acres(28.883 Hectares) in Rekulapally village, Gadwal Dist, as per prevailing law.

8. The Superintending Engineer/Civil/LJHEP had again submitted requisition in prescribed forms to the Collector, Jogulamba Gadwal District, for land acquisition to an extent of Ac71-07Gts in Rekulapally village, as sought by the District Collector, after peg marking and demarcation stones done for the EL+301.00 contour as per the joint survey report furnished by I&CAD, Gadwal and RDO, Gadwal.

9. In response to Superintending Engineer's requisition, the Collector had requested to send the proposals in proforma in consonance with RFCTLARR Act 2013, mentioning the conduct of Social Impact Assessment as envisaged in the act.

10. Further, the Collector, Jogulamba Gadwal District, while enclosing above letter, has addressed the Secretary to the Government, Energy Department, Government of Telangana, vide reference 4th cited wherein he has requested to instruct the Superintending Engineer/Civil/LJHEP to submit the requisition as per RFCTLARR 2013 Act along with the budget provision to pay compensation to the affected land holders.

11. The Chapter-II & III of RFCTLARR -"Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement" Act 2013, includes conducting Social Impact Assessment study by a committee which takes into account the impact the project is likely to have on various components such as livelihood of affected families, public and community properties, assets and infrastructure etc., and provision to safeguard food security.

12. In this regard, as per section 10A(b) of Chapter-III(A) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Telangana Amendment) Act, 2016, (Act No.21 of 2017), the state Govt in the public interest, by notification of Official gazette is empowered to exempt "infrastructure including electrification and irrigation project" from the scope of conducting Social Impact Assessment study under the provisions of Chapter II & III.

13. In this connection, it is submitted that the project has been completed by October 2016 and TSGENCO has paid as assured by TSGENCO, crop compensation was also paid to farmers for damaged standing crops in above lands in Rekulapally village as ordered by Dist Collector, Jogulamba Gadwal, at Rs:21,26,132/- and Rs:20,90,702/- for the years 2016-17 and 2017-18 respectively. Now the land acquisition is pending. The District Collector has stated that the acquisition of land will be taken up as per the provision of RFCTLARR, 2013 ACT.

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14. The CMD, TSGENCO has stated that land acquisition under provisions of RFCTLA & RR act 2013 with provisions of Chapter II and III will require the conducting of Social Impact Assessment study by a committee and it may further delay the completion of process of land acquisition and Consequential delay in payment of land cost to farmers.

15. Regarding Budget provision for payment of land compensation, once the consent rate is arrived after the mutual consent of Revenue officials, TSGENCO officials and Ryots, the amount will be deposited with Revenue Dept., concerned soon after receipt of demand notice.

16. In view of the above, the CMD, TSGENCO has requested to arrange to issue the Form-A for exempting the TSGENCO from conducting Socio Impact Assessment in Rekulapally village in Jogulamba, Gadwal District, in connection with acquisition of lands to the extent of land Ac71-07Gts which are getting submerged due to back water from the Weir at the earliest to avoid unrest of the Ryots.

17. Government after careful consideration and examination of the provisions made in the Acts 1 to 3 read above decided to issue notification in Form-A duly exempting aforementioned lands from application of Chapters II and III of RFCTLARR Act, 2013 (Telangana Amendment Act, 2016) for new coal mining projects in public interest.

18. The following Notification shall be published in the next Extra Ordinary Issue of Telangana Gazette.

NOTIFICATION

“In exercise of the provisions contained in Sec.10 (A) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 (Telangana Amendment Act, 2016) in its application to the State of Telangana, the Government have decided and accordingly hereby, exempt the following lands required for viz. construction of Weir across river Krishna at 7.9 km downstream of PJP dam submerged lands up to EL+301.00M in Rekulapally Village, from the application of provisions of the Chapter II and Chapter III of the Act in the public interest:

S.No.	Name of the Village	Sy.Nos.	Total area Acs-Gts	Area to be acquired Acs-Gts
1	Rekulapally	226	0-36	0-36
2		227	0-14	0-14
3		228	1-08	1-08
4		235	2-00	2-00
5		238	1-29	0-09
6		239	1-14	1-14
7		240	1-19	1-19
8		241	0-31	0-31
9		242	1-34	1-34
10		243	1-35	1-35
11		244	2-02	2-02
12		259	16-31	3-00
13		260	11-24	6-32

(p.t.o.)

14		261	10-24	3-16
15		262	13-13	13-13
16		263	0-18	0-18
17		264	0-39	0-39
18		265	11-23	7-23
19		266	7-01	7-01
20		267	15-06	11-36
21		268	17-27	1-20
22		269	2-01	0-31
23		270	1-29	0-16
TOTAL			124-16	71-07

19. It is also certified that all the efforts have been made in finalizing the minimum extent of Land required for the said project.

20. The Chief Commissioner of Land Administration, Telangana State and the Chairman and Managing Director, TSGENCO, shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SUNIL SHARMA
Special Chief Secretary to Government

To
The Commissioner of Stationery & Printing, Government of Telangana,
Hyderabad. (with a request to publish the notification in next
extraordinary issue of Telangana Gazette and furnish (50)
copies to this Department)

The Chief Commissioner of Land Administration, Hyderabad.

The Chairman & Managing Director, TSGENCO, Hyderabad.

The District Collector, Jogulamba Gadwal District.

Copy to:

The P.S. to Principal Secretary to CM.

The P.S. to Hon'ble Minister for Energy

The P.S. to Special Chief Secretary to Government, Energy Department.

The Revenue (JA&LA) Department.

File **(C.No.Energy-Bud/A1/OTHR/19/2021-Bud)**

SC/SF.

//Forwarded :: By Order//

SECTION OFFICER